

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRADLEY WEBSTER,

Plaintiff,

No. 19-10540

v.

Hon. Nancy G. Edmunds

BLOOMFIELD HILLS PUBLIC
SCHOOL DISTRICT,
CHRISTINE BARNETT,
and KELLY BOHL,

Defendants.

ORDER DISMISSING PLAINTIFF'S STATE LAW CLAIMS

Plaintiff Bradley Webster filed suit against Defendants Bloomfield Hills Public School District, Christine Barnett, and Kelly Bohl in this Court on February 22, 2019. Plaintiff's complaint brings age discrimination and retaliation claims pursuant to both the Age Discrimination in Employment Act ("ADEA") and Michigan's Elliott-Larsen Civil Rights Act ("ELCRA"). Since the parties to this matter are nondiverse, this Court declines to exercise supplemental jurisdiction over the latter claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c)(4); *Moor v. Cty. of Alameda*, 411 U.S. 693, 716 (1973); *Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994); see also *Provenzano v. LCI Holdings, Inc.*, 663 F.3d 806, 818 (6th Cir. 2011) (observing that the causation standard for claims brought under the ADEA is different than that for the same claims brought under the ELCRA).

Thus, pursuant to 28 U.S.C. § 1367(c), Plaintiff's claims of discrimination and retaliation in violation of Michigan's Elliott-Larsen Civil Rights Act found in Counts III,

IV, V, and VI of his complaint are hereby DISMISSED WITHOUT PREJUDICE. The Court will retain jurisdiction over Plaintiff's federal claims only.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: February 26, 2019

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 26, 2019, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager